

Remarks

Claims 2, 5-7, 10, 11 and 15-29 are presented for the Examiner's review and consideration. Claims 8 and 9 are withdrawn. In this Response, claims 2, 5-7, 10 and 11 are amended, and claims 15-28 are added. Applicant believes the claim amendments and the accompanying remarks herein serve to clarify the present invention and are independent of patentability. No new matter has been added.

35 U.S.C. §112 Rejection

In the Office Action, claims 2 and 5-11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. For reasons set forth below, Applicant respectfully submits that this rejection should be withdrawn.

Applicant has amended or cancelled each rejected claim in accordance with the rejection.

In light of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the section §112 rejection.

35 U.S.C. §103 Rejection

Claims 2 and 5-9 were rejected under 35 U.S.C. §103(a), as being unpatentable over Gosis et al. (U.S. 6,712,292, "Gosis") in view of Joseph et al. (U.S. 6,820,824, "Joseph '824"). Claims 10-11 were rejected under 35 U.S.C. §103(a), as being unpatentable over Gosis in view of Joseph, and further in view of Joseph *et al.* (WO2004/037433, "Joseph '433"). For reasons set forth below, Applicant respectfully submits that this rejection should be withdrawn.

As an initial matter, it is noted that the references are described separately only to clarify the teachings of each reference. Thus, the presentation of references separately is not and should not be construed as an attempt to "argue references separately." It is further noted that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). However, a simple teaching of elements is insufficient. In order to establish a proper *prima facie* case of obviousness, the prior art must also suggest the desirability of the claimed invention and/or give some reason for references to be combined. Therefore, in order to properly establish a *prima facie* case of obviousness, a rejection must not only show that all elements of the claimed invention are known or suggested in the prior art, but must also show that one of ordinary skill in

the art would have some reason or motivation to put all the elements together to achieve the claimed invention.

Gosis

Gosis discloses a paint spray gun with a container and a “container arm 22” where “Threads 68 can engage with threads 70 of an adapter lid 58, which engages with container 12” (C6L25-30).

Gosis fails to disclose a screw-wedge connector. In addition, Gosis does not suggest or teach “a tubular connector having a ***threaded connector*** capable of releasably attaching to a threaded connector of a paint spray gun, ***and a screw-wedge connector*** operative to releasably attach to a screw wedge connector of a paint spray gun,” as recited in independent claim 5. Claims 16 and 23 contain similar recitations.

Joseph ‘824

Joseph ‘824 discloses a container which “has a disposable lid 15 which is a push-fit in the open end of the liner 13. The lid 15 has a central aperture 16 (FIG. 4) from which extends a connector tube 17 provided, at its end, with outward extensions 18 forming one part of a bayonet connection.” (C5L23-28).

As further stated in Joseph ‘824, “The paint pot 11 is attached to the spray gun 1 through the use of an adapter 21 shown, separated from the paint pot, in FIG. 3 and (in cross-section) in FIG. 4. The adapter 21 is a tubular component which, at one end 22, is formed internally with the other part of the bayonet connection for attachment to the connector tube 17 of the paint pot 11. At the other end 23, the adapter is shaped to match the standard attachment of the spray gun paint pot (***typically a screw thread***).” (C5L33-41, emphasis added).

Joseph ‘824 fails to suggest or teach “an attachment part” or “tubular extension”, “***integrally formed on said cover***” as recited in amended claims 5, 16, and 23 of the instant invention. The adapter disclosed in Joseph ‘824 must be attached in order to connect to a paint spray gun. Joseph ‘824 further suggests only a threaded connection to a paint spray gun. The bayonet style portion of the lid is not suggested or disclosed to be used for connection to a paint spray gun.

Joseph ‘824 further fails to disclose an attachment part “operative to releasably attach to a threaded connector of a paint spray gun ***and*** a screw-wedge connector operative to releasably attach to a ***screw-wedge connector of a paint spray gun***” as recited in claim 5. Claims 16 and 23

contain similar recitations. End 22 in Joseph '824 is provided for attachment to disposable lid 15 on the paint pot, and not to a paint spray gun. Joseph '824 does not suggest or teach an attachment part which is capable of both connecting a cover to either a threaded connector or a screw-wedge connector on a paint spray gun.

Moreover, there is no suggestion or teaching in either Gosis or Joseph '824 for *a single integrated connector* to enable connection to *either of two styles* of connector on a paint spray gun.

Joseph '433 was cited for disclosing a wedge shaped sealing ridge formed on the underside of the cover. Joseph '433 discloses "a system for connecting the reservoir to the spray gun via an adaptor that is screwed into the spray gun and provides a releasable quick-fit connection to the reservoir. For example, the reservoir and adaptor may be provided with bayonet type formations that are engageable with a push-twist action requiring less than one complete turn of the reservoir to connect the reservoir to the gun." (P2L20-25).

Joseph '433 discloses "a helical portion 1080d for co-operating with the lug 686 on the gun body 603." (P39L31-32) Joseph '433 fails to disclose "a screw-wedge connector having a lateral contact surface for limiting the screw-in depth of the screw wedge connector of the paint spray gun", as recited in claim 5 of the instant invention. Claims 16 and 23 contain similar recitations. Thus, Applicant respectfully submits, for at least these reasons, no combination of the cited references can be deemed to obviate the instant invention as recited in amended claim 5, and new claims 16 and 23.

Accordingly, Applicant respectfully submits that claims 5, 16, and 23 are patentable over Gosis in view of Joseph '824 and Joseph '433. As claims 2, 6, 7, 10-11, and 15 depend from claim 5; claims 17-22 depend from claim 16; and claims 24-29 depend from claim 23, these dependent claims necessarily include all the elements of their base claim. Accordingly, Applicant respectfully submits that the dependent claims are allowable over the cited references for at least the same reasons.

In light of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the §103 rejection.

Conclusion

In light of the foregoing remarks, this application is now in condition for allowance and early passage of this case to issue is respectfully requested. If any questions remain regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

No fee is believed to be due. However, please charge any other required fee (or credit overpayments) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 7400-X06-152)

Respectfully submitted,

/ Paul D. Bianco /

Paul D. Bianco, Reg. 43,500
Martin Fleit, Reg. 16,900

Customer Number: 27317
FLEIT GIBBONS GUTMAN BONGINI & BIANCO
21355 East Dixie Highway, Suite 115
Miami, Florida 33180
305-830-2600, fax 305-830-2605, pbianco@fggbb.com